

REMARKS

Applicants respectfully traverse and request reconsideration.

Claims 1-31 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,510,236 (Crane et al.). Crane is directed to an authentication framework for managing authentication requests from multiple authentication devices where the authentication devices may be, for example, biometric scanners or smart cards or other suitable user authentication device. Crane utilizes a system that enables existing client and server based applications to incorporate alternative authentication devices and to their current authentication schemes without comprising server trust policies. (See e.g. Abstract). Applicants claim an entirely different method and system. For example, Crane utilizes an application server 12 as a router to route identification information from a client or authentication device 16, to an authentication device server 18. As such, the authentication device server receives the user ID and device ID and determines whether the authentication device 16 is trusted. The authentication server 18 returns a yes/no response to the application server 12 and the application server 12 then returns a token back to the authentication device if the authentication server 18 indicates that it is ok to trust the authentication device.

In contrast, Applicants claimed invention, among many advantages, provides differing levels of authentication and may utilize an alternate channel during a session to provide authentication information in addition to user ID and/or password information to provide multi-factor authentication. If desired, the authentication code may be sent to a third unit as owned by a user to improve the authentication process since only the user owns the third device. In addition, an authentication code may be sent via a different channel than the channel used to send the password information.

The office action equates “the first unit” in Applicants’ claim 1 with the “authentication server” of Crane and states that the claimed “authentication unit” is the device from which the user receives data. Applicants respectfully submit that employing this

interpretation of Crane fails to render Applicants' claimed invention unpatentable. For example, assuming that the authentication server 18 in Crane is the claimed "first unit", Applicants' claim would require that the authentication server 18 of Crane would send user identification data to an authentication unit (the device from which the user receives data) according to the office action's interpretation. However, the Crane system does not appear to operate in such a manner. In fact, the authentication server 18 only receives user identification data and does not send any such user identification data to the application server 16. Instead, it sends a yes/no response since it performs the authentication itself. (See for example, column 5, lines 28-37). As such, the claim is in condition for allowance.

In addition, the office action alleges that column 4, lines 48-52 allegedly teach using the user identification data that was sent by the first unit to the authentication unit, to determine which destination unit will receive an authentication code to be used to authenticate the user. However, the cited portion does not appear to teach any such operation. To the contrary, the cited portion merely states that the client may obtain the authentication data from its associated authentication device and then send it to an application server 12 which then routes it to the authentication server 18. There is no need in Crane to perform the claimed operation since the authentication device or client that sends the ID to the application server in Crane also receives the token. Accordingly, the claim is also in condition for allowance for this reason.

The office action also cites the same portion as allegedly teaching sending the authentication code to the determined destination unit based on the user identification data. However again as noted, there is no determination of which destination unit will receive the authentication code (assuming this means token) since the client device that requests authentication also receives the token. Applicants also respectfully submit that they are not admitting that the token of Crane is the claimed authentication code as the token merely

appears to be a structure that allows access to specific applications to the application server 12 and that the client device does not use the token to authenticate.

The office action also cites column 5, lines 23-37 as allegedly teaching returning the authentication code to the authentication unit. However, again this section merely states that the authentication server returns a yes or no response after performing an authentication check using the user ID and device ID. As such, if the rejection is maintained, Applicants respectfully also request a showing as to which unit in Crane is the claimed determined destination unit since it does not appear that any authentication code is sent to a destination code and then returned to the authentication unit as claimed. Accordingly, the claim is in condition for allowance.

As to claim 2, as noted above, there does not appear to be a determination, in Crane, as to a destination unit that is performed. As such, this claim is also in condition for allowance.

As to claim 3, Applicants also respectfully submit that this claim is allowable at least as depending upon an allowable base claim.

As to claim 4, there does not appear to be any teaching or suggesting of waiting to return the authentication code to the authentication unit (authentication device 16) until receipt of user input. As noted above, there is no authentication code being communicated back to the authentication device. Nor is there any waiting to send it until there is user input.

As to claim 5, and as noted above, there is no receipt from the determined destination unit of the returned authentication code nor of the production of a digitally signed authentication code as received from the determined destination unit. Accordingly, this claim is also in condition for allowance.

As to claim 10, Applicants respectfully reassert the relevant remarks made above with respect to claim 1 and further note that Crane does not teach or suggest, among other things, a

primary wireless channel and a wireless back channel. The cited portion, namely column 4, lines 48-52 appears to be silent as to using any kind of a primary authentication information on a primary wireless channel and secondary authentication information on a wireless back channel to be used to authenticate the user. If the rejection is maintained, Applicants respectfully request a showing by column and line number of such teachings. Since Applicants are unable to find such teachings, Applicants respectfully submit that the claims are in condition for allowance.

Applicants respectfully submit that the dependent claims are allowable for the reasons stated with respect to previous dependent claims.

In addition, claim 15 requires that the sending of the authentication code on the wireless back channel to the destination unit is done using one of a short message session channel, paging channel and a control channel. The office action cites column 1, lines 25-39 and column 6, lines 1-14. However, these cited sections do not appear to be teaching any kind of wireless back channel that sends an authentication code to a destination unit based on a primary authentication information during a same session as required by the claim. Instead they appear to only indicate that the Internet can be used for the Crane invention and that wireless communication exists. Accordingly, this claim is also believed to be in condition for allowance.

As to claim 17, Applicants respectfully reassert the relevant remarks made above with respect to other independent claims. Accordingly, this claim is also believed to be in condition for allowance.

As to claim 21, Applicants respectfully reassert the relevant remarks made above with respect to other independent claims. Accordingly, this claim is also believed to be in condition for allowance.

Claim 27 is also believed to be allowable for the same reasons given above with respect to the independent claims. As such, this claim is also in condition for allowance.

Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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